

REMARKS

A. The Amendments

Following entry of this Amendment, claims 42-61 are pending in this application. Claims 44, 45, 49, 58 and 59 have been amended to address formal matters while maintaining their scope. No new matter has been added. The following are non-exhaustive examples of where support for the amendments is found in the application: Claim 44: page 57, line 19; Claim 45: page 46, line 24-33; Claim 49: page 46, line 32-33; Claim 58: page 55, line 11; Claim 59: page 55, line 14.

The specification was amended to correct typographical errors. No new matter has been added.

Applicants submit that the application is in condition for immediate allowance.

B. 35 U.S.C. §112, second paragraph

Claims 45-47, 49-51, 58-61 were rejected under 35 U.S.C. § 112, second paragraph, for allegedly being indefinite. Applicants respectfully submit the rejections have been rendered moot with entry of this Amendment. Applicants also thank the Examiner for the telephone interview with Applicants' representative on March 10, 2005, where the Examiner requested that the term "vaccine" not be used because it implies additional therapeutic requirements not found with the term "immunoreactive".

Applicants respectfully request withdrawal of this rejection.

C. 35 U.S.C. §112, first paragraph

Claims 44-61 were rejected under 35 U.S.C. § 112, first paragraph, because, according to the Examiner, the application does not teach how to use the subject invention. Applicants respectfully traverse the rejection. Compositions of the subject claims can be used as taught, for example, on page 59, line 34 through page 70, line 15. Uses include, for example, a broad range of diagnostic and therapeutic applications commensurate with the subject invention.

Applicants therefore respectfully request withdrawal of this rejection.

D. Provisional Obviousness-Type Double Patenting

Claims 42-61 were provisionally rejected for obviousness-type double patenting. Applicants submit that once allowable subject matter is indicated, Applicants will file any necessary terminal disclaimer.

E. Conclusion

Applicants respectfully submit that pending claims 42-61 are in condition for immediate allowance. The undersigned invites the Examiner to call (650) 838-4382 with any questions or comments. The Commissioner is hereby authorized and requested to charge any deficiency in fees herein to Deposit Account No. 50-2207.

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Respectfully submitted,  
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